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THAILAND

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I. LAND AND PEOPLE*

1. Thailand is situated in the south-east Asian mainland and covers an area of 513,115 sq. km, from North 5° 30" to 21° and from East 97° 30" to 105° 30". Thailand borders the Democratic People's Republic of Laos and the Union of Myanmar to the north, Cambodia and the Gulf of Thailand to the east, the Union of Myanmar and the Indian Ocean to the west, and Malaysia to the south. The country has a warm and rather humid tropical climate and a landscape of surprising diversity, from the mountainous north and the north-east plateau, to the alluvial central plain to the southern peninsula with its narrow coastal lowland backed by high mountain ranges.

2. Thailand's estimated 1992 population of 57.9 million increases by about 1 million persons per year. Around 70 per cent of the labour force is in the agricultural sector, producing rice, tapioca, sugarcane, maize, etc. Thai farmers, long considered to be the "backbone" of the economy, have traditionally been rice cultivators. Rural farm life is still primarily that of a farm family situated in a village of other farm families where activities related to the community's Buddhist temple are important. Despite some use of chemical fertilizers, pesticides, tractors and attempts at collectivism, this type of rural life is still much as it was centuries ago. Work, usually done by hand or with a water buffalo, is shared by the entire family, which consumes the products from its own fields and sells any surplus.

3. While still predominant, this type of life is rapidly disappearing as the rural economy has become increasingly monetized and small farmers have been actively encouraged to grow cashcrops. Farming has become more and more a business enterprise and less a holistic way of life. The influence of agrobusiness has had major effects upon the traditional farmer, who is directly susceptible to exploitation in this process. Small farmers, especially in the north-east, have been subjected to increasing landlessness and have a growing problem of debt. These problems are reflected in the incidence of poverty among the rural population.

4. Urban life in Thailand principally refers to Bangkok, by far the largest city. Family life there is typified by the nuclear family in which both husband and wife are employed (in either the formal or informal sectors) and children attend schools. This pattern, however, is not universal. There are significant numbers of unmarried adults, of single-parent households, and of other living arrangements in which people are managing to cope. The growing middle classes of Thailand live primarily in urban areas.

5. Development policy in the first three national plan periods (1961-1976) was characterized by government support to private enterprise, in contrast to the prior approach of direct State enterprise. Government became increasingly active in providing economic infrastructure and a legal and institutional environment conducive to private-sector investment. Beginning in the early 1970s, the national plans noted with concern the growing income

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* This report was prepared in the 1992-1995 period.

disparities. Social development planning emerged, in conjunction with economic planning. A strategy to narrow income gaps was added to the Third National Plan (1972-1976).

6. The Fourth National Development Plan (1977-1982) was characterized as the "big push period, emphasizing the promotion of small- and medium-scale industries to sustain the growth of the industrial sector". The Fifth and Sixth National Development Plans (1983-1991) were a period of transformation into a manufacturing, export-led economy. It emphasized further export-oriented production, regional industrialization, implementation of large-scale industrial development programmes, expansion of basic industries, active mobilization of foreign investments, increased efficiency of management, utilization and exploitation of resources. Thailand's increased international competitiveness is due to the success of these policies, to an enormous increase in private domestic investment, and most of all to the literate and relatively inexpensive supply of labour.

7. Despite the several military coups d'état the orientation of Thailand's development policies has remained the same throughout the last four decades, thus enhancing continuity and stability. Private enterprise has been encouraged while at the same time substantial investment has been made in the health and basic education of its population.

8. The main economic indicators and statistical data are as follows:

Area:	513,115 square kilometres
Population:	58.8 million (1993)
Male:	29,018,092
Female:	28,770,873
In municipal area:	approx. 10.2 million (1992)
In non-municipal area:	approx. 46.8 million (1992)
Population per 1 square km:	113 (1992)
Birth rate per 1,000 population:	20.3 (1992)
Death rate per 1,000 population:	6.1 (1992)
Life expectancy at birth (years):	65.8 (M), 70.5 (F) (1992)
Population growth rate:	1.4% (1992)
Total fertility rate:	2.2% (1992)
Gross Domestic Product (GDP):	3,585 billion baht (1994)
GDP per capita:	60,346 baht (1994)

Rate of economic growth:	8.2% (1993)
Rate of employment:	96.55% (1993)
Consumer Price Index:	5.0 (1994)
Average wage of employees per day:	118.75 baht (1993)
Number of households (1992)	
- Municipal area:	2,367,180
- Non-municipal area:	9,943,053
Divorce rate:	10.0% (1991)
Adult literacy rate:	92.58% (1992)
Number of tourists visiting Thailand:	6,166,496 (1994)
Percentage of population with access to drinking water:	86 (1994)
Percentage of population with access to health services:	90 (1994)
Number of motor vehicle registrations:	1,041,246 (1993)
Rice planted area and production (1994-1995)	
- area planted (thousand rais):	59,251
- production (thousand tons):	18,447
Major agricultural products:	Sugar-cane, cassava, maize, rice, peanut, soy bean, cotton, sorghum, kenaf, mung bean (1994).
Production of minerals:	Limestone, lignite, gypsum, kaolin, glass sand, fluorite, iron, lead, pyrophylite, barite (1994)
Value of imports, exports and balance of trade (1994) (in billion baht)	
- imports:	1,364.215 baht
- exports:	1,133.283 baht
- balance of trade:	230.931 baht
Principal exports:	Textile products, rice, cassava and products, precious stones and metals, natural rubber, integrated circuit (1994).

Principal imports:	Capital goods, intermediate products and raw materials, fuel and lubricant, petroleum and shale oils (1994).
Balance of Payment:	20.0 billion baht (1994)

9. Children and youth profiles:

(a) Population

Number of children (0-14 yrs.):	18.5 million (1992)
Percentage of total population:	31.46
Number of youth (15-24 yrs.):	12.27 million (1992)
Percentage of total population:	20.7

(b) Nutrition

Percentage of total number of infants weighed less than 2,500 grs.:	9.04 (1992)

Percentage of children (under 5 yrs) with malnutrition (1992)

Level 1:	14.75
Level 2:	0.70
Level 3:	0.01
Percentage of students who have lunch:	83.23 (1991)
Percentage of students who do not have lunch:	16.79 (1991)

Percentage of breast-feeding mothers (1993)

- 3 months:	85.9
- 6 months:	80.3
- 12 months:	66.7

(c) Health

Percentage of full-course immunization in children (under 1 yr) (1991-1993)

BCG:	98
DTP:	92
Polio:	92
Measles:	86

Percentage of diarrhoea surveillance in children (under 5 yrs)	1.33 (1991)
Infant mortality (under 5 yrs) per 1,000 births:	33 (1991)
Percentage of child mortality (1-14 yrs):	3.02 (1991)
Percentage of youth mortality (15-24 yrs):	6.45 (1991)
Number of children and youth drug addicts:	21,410 (1993)
Number of venereal diseases and sex-related diseases in children and youths:	50,669 (1993)

(d) Education

Enrolment ratio (1992)

- Primary level:	92.58
- Lower secondary level:	36.20
- Upper secondary level:	25.29
- Higher education:	20.52

Transition rate (1992)

- Primary/Lower secondary:	61.62
- Lower/Upper secondary:	85.61

(e) Employment

Number of children and youth (13-18 yrs) in labour force (in thousands):	4,740,200 (1992)
Number of employed children and youth (13-24 yrs):	3,994,800 (1992)
Number of unemployed children and youth (13-24 yrs):	734,400 (1992)

Rate of employed children and youth (13-24 yrs) in major fields of industry (1992)

- Agriculture, forestry, livestock raising and fisheries:	49.5%
- Manufacturing:	5.7%
- Commerce:	2.7%
- Services:	8.1%
- Others:	6.5%

(f) Social and ethical problems

Number of juvenile delinquents and children inappropriate behaviour	
- Inappropriate behaviour:	3,413 persons (1993)
- Behavioural problem children, to sent welfare institutions:	155 persons (1993)
- Juvenile delinquents, sent to juvenile courts:	2,878 persons (1993)
- Convicted youth:	2,539 persons (1993)
Number of abandoned children in government hospitals (0-5 yrs):	605 persons (1992)
Number of street children in Bangkok (reported cases):	2,051 persons (1992)
Number of child and youth deaths from homicide and injury wilfully inflicted by other persons:	977 persons (1990)
Number of children in welfare institutional care (1990)	
- governmental institutions:	9,870 persons
- non-governmental institutions:	52,345 persons
Number of children in foster care and adoptive care (1992):	759 persons
Number of novices and temple boys	
- novices:	127,638 persons (1992)
- temple boys:	69,294 persons (1992)

II. GENERAL POLITICAL STRUCTURE

10. Thailand is governed by a constitutional monarchy, similar in many ways to the United Kingdom, with the King as head of State. Ever since the founding of Sukhothai in 1238, Thailand has had a pyramidal Government structure, uniting the three pillars of nation, religion and monarchy. The present constitutional monarchy dates back to 1932 when King Prajadhipok (Rama VII) agreed to abolish absolute monarchy and transferred power to the constitutional system which is in force today. The latest constitution was promulgated in 1991. Thailand's political environment, while giving the impression of fragility due to the number of coups d'état, has actually exhibited a remarkable degree of stability because of the strength behind the constitutional monarch.

11. In 1994 Thailand had 65,169 villages, 986 sanitary districts (non-municipal areas), 143 municipalities, 7,159 Tambon (sub-districts), 729 Amphoe (districts), 101 lesser districts, and 76 provinces including

Bangkok. At the village level, the Government is represented by the pu-yai ban or village headman, who is responsible for social harmony and local government. Village commune councils, headed by a kamnan, are the link between village and the district officer, Nai Amphoe, who is the kamnan's immediate superior. District officers report to the provincial governor; both are appointed, not elected, officials. The provincial governors and district, chiefs are under the jurisdiction of the Ministry of Interior.

12. At the national level, executive power is administered and legislation proposed by the Cabinet, on which all ministries are represented. The Cabinet is chaired by the Prime Minister, whose post was established in 1933. Since 1958, prime ministers have played a dominant role in running the nation. Each ministry is headed by a political appointee, the minister, who is automatically a member of the Cabinet.

13. The administrative head of a ministry is the Permanent Secretary, a career civil servant who has administrative control over all departments. Each department is headed by a Director-General, who is responsible for the overall administrative and budgetary management and control over his or her own department. For each fiscal year, all departments and ministries are responsible for the preparation of budget proposals which are submitted to the Bureau of the Budget under the Office of the Prime Minister. The House Committees on public health, education, public welfare, defence, etc., will scrutinize all budgetary proposals and recommend their approval to the House of Parliament. The House normally approves all budget allocations in September. The budget for fiscal year 1991-1994 stands at 625 billion baht (US$ 25 billion).

III. THE JUDICIARY AND THE ADMINISTRATION OF JUSTICE

14. Founded upon the concept of a civil law system, the Thai justice administration and its machinery are organized through written legislation. All case proceedings, execution of laws safeguarding of justice, including all government rules and decrees, must solemnly conform to the laws promulgated.

15. According to the Law Governing Court Organization of 1934, three levels of courts were established, i.e., the courts of first instance, the courts of appeal and the Supreme Court. There are about 135 courts of first instance throughout the kingdom. In Bangkok Metropolis, they are composed of the civil court, the criminal court, the central juvenile and family court, the central labour court and the central tax court, including khwaeng courts, which have jurisdiction over small cases. In the provinces, they are composed of the provincial court, the provincial juvenile and family courts and khwaeng courts.

16. The courts of appeal consist of one Bangkok-based court of appeal and three regional courts of appeal. There is one Supreme Court with jurisdiction to review and adjudicate all cases, and the Court's judgements are final. However, in criminal cases the accused may petition His Majesty the King for clemency.

17. There are also military courts which deal primarily with military justice in criminal cases.

18. Thai courts adjudicate cases according to the law in the name of the King who is above politics in all aspects. The judges themselves are also protected from any political interference. Thus, their appointment and removal are effected by an exclusive and independent body, the Judicial Service Commission. Essentially, no new court shall be established with the purpose of trying any particular case.

19. Under Thai criminal proceedings, an injured person may institute a prosecution himself or lodge a complaint with the authorities concerned and have his case conducted by them. If the injured person lodges a complaint, the police inquiry officials will conduct an inquiry and file all facts and evidence for submission to the public prosecutor. After reviewing the file of inquiry, the public prosecutor may issue an order of prosecution and transmit the case to the court or issue an order of non-prosecution and release the alleged offender according to the evidence.

20. A suspect in a criminal case is guaranteed the presumption of innocence and the ultimate right to defend himself, including the right to counsel and other standard treatment of human rights protection. No judgement of conviction shall be delivered unless and until the court is fully satisfied that an offence has actually been perpetrated and that the accused has committed that offence. In case of doubt, the benefit will be granted to the accused.

21. In civil cases, anyone who is engaged in a dispute over rights and duties or who wants to exercise his rights through court proceedings is free to institute his case. Civil proceedings in Thai courts are governed mainly by the Civil Procedure Code of 1934.

22. In the course of today's business, however, the tendency is to rely on the arbitration system owing to its convenience, informality, and speed. The Thai justice administration recognized this trend by adopting the Arbitration Act of 1987.